

## CERTIFICATE OF MAILING (37 CFR 1.8)

Date of Deposit with U.S. Postal Service: January 7, 2002

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, DC 20231.

Julie K. Lyons, Legal Assistant

Name of Person Mailing Paper

Julie K Lyons

Signature

FEB 04 2002

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1624  
Examiner : R. Uppu  
Applicant(s) : JB Hester, Jr. and David L. Alexander  
Serial Number : 09/736,858  
Filed : 14 December 2000  
For : Oxazolidinones Having a Sulfoximine Functionality

Commissioner of Patents and Trademarks  
Washington, DC 20231

## TRANSMITTAL OF A RESPONSE TO A NON-FINAL ACTION (37 CFR 1.111)

Sir:

Transmitted herewith is a reply and/or amendment in the above-captioned application in response to the Examiner's action dated September 13, 2001.

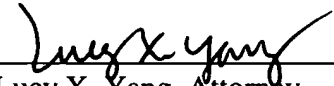
- [X] The reply and/or amendment is being filed under 37 CFR 1.8 and the required Certificate of Mailing appears above.
- [ ] An additional fee in the amount of \$ is required for the amended claims presented and has been calculated as shown in the attached sheet.

Please charge Deposit Account No. 21-0718 in the amount of the additional fee above, or such greater or lesser amount of excess fees for claims as the Commissioner determines is required by law. Triplicate copies of this sheet are enclosed.

**EXTENSION OF TIME.** In the event this paper is not filed prior to the time set for response, applicant(s) hereby petition for an extension of the period for filing the attached reply and/or amendment to the date of filing this paper, and hereby authorize the Commissioner to charge the extension fee as may be required by 37 CFR 1.17, to Deposit Account No. 21-0718. If for any reason the extension requested above is insufficient to extend this period to the date of this paper,

applicant(s) hereby petition for the revival of the above-captioned application as having been unintentionally abandoned and authorize the Commissioner to charge the required fees under 37 CFR 1.17 to Deposit Account No. 21-0718.

Respectfully submitted,

  
\_\_\_\_\_  
Lucy X. Yang, Attorney  
Registration No. 40,259

Date: Jan 3rd, 2002

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Enclosures:

Reply/Amendment

☐ Calculation of Additional Fees for Amended Claims



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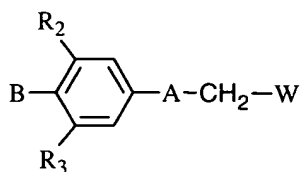
**Response to the Official Action dated September 13, 2001**

Sir:

In the claims:

Please amend claim 1 as follows.

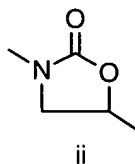
1. A compound of formula I



I

or a pharmaceutically acceptable salt thereof wherein:

A is a structure ii



ii